



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Ce

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

08/851,877 05/06/97 SHELL

S. MS1-161US

022801 TM01/0227
LEE & HAYES PLLC
421 W RIVERSIDE AVENUE SUITE 500
SPOKANE WA 99201

EXAMINER

ART UNIT	PAPER NUMBER
----------	--------------

2171
DATE MAILED:

02/27/01

15

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

INNER
00

u

Office Action Summary

Application No.

08/851,877

Applicant(s)

Shell et al.

Examiner

David Jung

Group Art Unit

2171

☒ Responsive to communication(s) filed on Dec 5, 2000

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-30 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-30 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2171

DETAILED ACTION

Response to Arguments

1. Applicant has argued about the nature of the word "content." Nevertheless, Applicant has not mentioned the specific passages from the specification. Therefore, the Office cannot further add meaning to the existing language of the claims. As is, the claims are rejected on the same ground as in the previous Office Action.

Claim Rejections - 35 USC § 103

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blonder et al. (US Patent 5,760,771, hereinafter also referred as Blonder) and Knowlton et al. (US Patent 5,897,692, hereinafter also referred as Knowlton) and Monteiro et al. (US Patent 5,983,005, hereinafter also referred as Monteiro) and Stone et al. (US Patent 6,101,510, hereinafter also referred as Stone).

4. Claims 1, 5, 11 are the independent claims; other claims are the dependent claims.

5. In regard to claim 1, Blonder et al. teaches "A hypermedia browser ... computer-readable medium for execution on an information processing device wherein the ... browser has a content viewing area ... and is configured to display a temporary graphic element ... during times

Art Unit: 2171

when the browser is loading content..." as in claim 1 except for the "limited display area." See Abstract. Note the browser. Note that this browser using an information processing device. See especially column 3, lines 26-42. Note the padding. Note how the padding is "configured to display a temporary graphic element ... during times when the browser is loading content." See also column 7, lines 45-49.

The cited passages of Blonder are not explicit about "limited display area."

Knowlton et al. teaches the "limited display area" and "partially obstruct content" for the motivation of displaying more than one item. See Abstract. See column 26, lines 20-64, especially lines 60-64. Notice how Engine 138 displays temporary representation of Graphical icon 144. Note particularly this temporary graphical element (representation). Notice how the graphical icon covers the viewing area¹. Notice also the use of Windows. Such windowing features of Windows teaches limited display area. See also column 42, lines 30-34. Knowlton et al. teaches browsers and the loading of material through the Web. See column 1, line 35 to column 2, line 18 which discusses the general background of the Web displaying (such as by using the browser).

¹That this is "an indicator in the content viewing area" is more particularly stated at column 2, lines 2-30. The passage particularly discusses "graphically based indexing of files" using visual links. As noted in a yet later part of column 2 (lines 60-65), each visual link preferably may include the graphical icon providing a displayable image representing the corresponding location and a visual link data set.

Art Unit: 2171

It would have been obvious to those of ordinary skill in the art at the time of the claimed invention to combine Blonder et al. with such "limited display area" of Knowlton et al. for the motivation noted in the previous paragraphs.

The cited passages of Knowlton and Blonder are not explicit about "content viewing area for viewing content."

Stone teaches "content viewing area for viewing content" (column 8, lines 40-48, i.e. hypertext viewer 46) for the motivation of displaying documents (column 8, lines 40-41).

It would have been obvious to those of ordinary skill in the art at the time of the claimed invention to combine Blonder and Knowlton with such "content viewing area for viewing content" of Stone. for the motivation noted in the previous paragraphs.

The cited passages of Knowlton and Blonder and Stone are not explicit about "the temporary graphic element is positioned over the content viewing area to obstruct only part of the content in the content viewing area, wherein the temporary graphic element is not content."

Monteiro teaches "the temporary graphic element is positioned over the content viewing area to obstruct only part of the content in the content viewing area, wherein the temporary graphic element is not content" (Figure 19, menus; column, 18, lines 29-36, i.e. display or hide bars; column 17, lines 56-68, i.e., the information ... is dynamically transmitted. ... if a new channel begins operation, the client application can immediately display it as it being available ...) for the motivation of permitting the user to select with more information (column 17, lines 46-47).

Art Unit: 2171

It would have been obvious to those of ordinary skill in the art at the time of the claimed invention to combine Blonder and Knowlton and Stone with such "the temporary graphic element is positioned over the content viewing area to obstruct only part of the content in the content viewing area, wherein the temporary graphic element is not content" of Monteiro for the motivation noted in the previous paragraphs.

In regard to claims 2, 5, such animation is suggested by Blonder et al. See column 2, lines 62-65 of Blonder et al.

In regard to claim 3, such use of corner is a well known feature of Windows windowing and graphical icons, such as mentioned in Knowlton et al. See column 26, lines 60-64.

In regard to claims 4, 5, such use of windowing is taught by Knowlton et al. See icon 144 of Figure 2A..

In regard to claims 6-10, claims 6-10 are information processing device analogs to claims 1-5. For the reasons stated in the rejections of claims 1-5, claims 6-10 are not patentable.

In regard to claims 11-15, claims 11-15 are method analogs to claims 1-5. For the reasons stated in the rejections of claims 1-5, claims 11-15 are not patentable.

In regard to claim 16, such computer readable storage medium are well known in the art of computers for the purpose of keeping data ready for reading and for execution.

In regard to claims 17-24, these claims are of similar scope to claims 1-16. For the reasons stated in the rejections of claims 1-16, claims 17-24 are not patentable.

Art Unit: 2171

In regard to claims 25-30, such "load status" handling is taught by Stone (column 7, lines 6-14, i.e. "busy" signal to indicate loading).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. They were discussed in the previous Office Actions.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Art Unit: 2171

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 305-9731 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Jung whose telephone number is (703) 308-5262 or Thomas Black whose telephone number is (703) 305-9707.

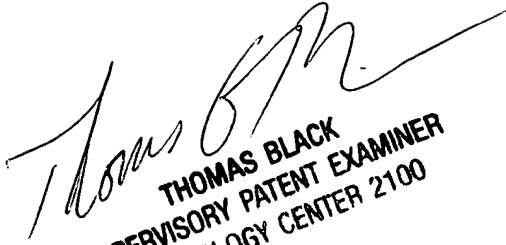
Application/Control Number: 08/851,877

Page 8

Art Unit: 2171

DJ

February 21, 2001


THOMAS BLACK
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100